



Docket No.: C065272/0209910

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)

Chunying DU and Qiheng YANG)

Serial No.: 10/730,476)

Filed: December 8, 2003)

For: **COMPOSITIONS AND METHODS
FOR CLEAVING IAP**)

Examiner: Hope A. Robinson

Art Unit: 1652

New York, New York
November 16, 2007

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The shortened statutory period of time for response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed October 30, 2007 ("Notice") for the above-identified application expires on November 30, 2007. Accordingly, this Response is timely filed with an executed certificate of mailing on or before November 30, 2007.

It is not believed that this submission occasions any fees, however, should there be any fees, please charge the same to Deposit Account No. 02-4467. A duplicate copy of this Response is enclosed.

In response to the Notice for the above-identified application, submitted herewith are the following:

1. A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (Exhibit 1);
2. a copy of the Raw Sequence Listing Error Report (Exhibit 2);
3. a Substitute Sequence Listing (Exhibit 3); and
4. a Computer Readable Format Version of the Substitute Sequence Listing (Exhibit 4).

Please amend the application as follows:

AMENDMENTS TO THE SPECIFICATION begin on page 3 of this paper.

AMENDMENTS TO THE CLAIMS: NONE.

REMARKS begin on page 4 of this paper.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10730, 470

EXAMINER

ART UNIT	PAPER
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20071022

DATE MAILED:

10/30/07

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 1652.

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825; applicant's attention is directed to the final rule making notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). To be in compliance, applicant is required to identify all amino acid sequences of at least 4 L-amino acids and at least 10 nucleotides by a sequence identifier, i.e., "SEQ ID NO:". It is noted that applicant filed a new sequence disclosure on October 10, 2007, however, the sequence errored, which is outlined in the attached error report. If these sequences are not disclosed in the application must amend the application. A paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification, and a statement that the content of the paper and computer readable form copies are the same and, where applicable, include no new matter as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.821(b) or 1.825(d). See the attached Notice to Comply with the sequence rules). As the non-compliant amendment is a reply to a Non-Final Office Action and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a). Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hope A. Robinson whose telephone number is 571-272-0957. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapu Achutamurthy, can be reached at (571) 272-0928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HOPE ROBINSON
PRIMARY EXAMINERHope A. Robinson
Primary Examiner
Art Unit: 1652

10/22/07